

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06 0687 SI
	)	
Plaintiff,	)	
	)	[PROPOSED] ORDER FINDING
v.	)	EXCLUDABLE TIME
	)	UNDER SPEEDY TRIAL ACT
	)	18 U.S.C. § 3161(h)(8)(A)&(B)(iv)
	)	
BRUCE BARKER,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

The parties appeared before the Court on December 15, 2006. Assistant United States Attorney Susan Badger appeared on behalf of the government. Lidia Stiglich appeared on behalf of the defendant, who was present and out of custody. This was Ms. Stiglich's first appearance in the case on behalf of the defendant. On December 14, 2006, Lidia Stiglich of Stiglich & Hinckley, LLP filed a Notice of Substitution of Counsel re Defendant Bruce Barker.

Counsel for the government advised the Court that she was scheduled to try the

1 case of United States v. Quan, CR 04 0323 WBS starting on January 16, 2007. The Court  
2 in that case has set aside three months for the trial. Accordingly, for the period between  
3 approximately January 16, 2007 and April 16, 2007, government counsel will not be  
4 available to prepare for motions or for trial in the above-captioned case.

5 Ms. Stiglich advised the Court that she was just coming into the case and had not  
6 yet received discovery. She also stated that between December 15, 2006 and early April  
7 2007, she had commitments in two other cases, including an out-of-district case that  
8 would require considerable time and attention. She estimated that she would need the  
9 time between December 15, 2006 and early April 2007 to become familiar with the  
10 discovery in the instant case, to confer with her client, and to make a determination as to  
11 how her client wishes to proceed in this case.

12 The parties requested a continuance of the matter until April 6, 2007 at 11:00 a.m.  
13 before this Court for status. At that time, the parties will be prepared to set the matter for  
14 trial or advise the Court about progress toward resolution. The parties jointly requested  
15 that the time from December 15, 2006 through April 6, 2007 be excluded from the time  
16 requirements of the Speedy Trial Act in order to provide continuity of government  
17 counsel and in order to provide defense counsel reasonable time for effective preparation  
18 taking into account due diligence. 18 U.S.C. § 3161(h)(A) & (B)(iv). The defendant  
19 stated that he concurred in the requests to continue the matter and for a finding of  
20 excludable time.

21 Upon the motion of the parties and for good cause appearing, IT IS HEREBY  
22 ORDERED that the time from December 15, 2006 through April 6, 2007 is excluded  
23 from the time requirements of the Speedy Trial Act in order to provide the government  
24 continuity of counsel and in order to provide defense counsel reasonable time for

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1 effective preparation taking into account due diligence. 18 U.S.C. § 3161(h)(8)(A) &  
2 (B)(iv).

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4 IT IS SO ORDERED.

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6 SUSAN ILLSTON  
7 United States District Judge  
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